

## EMERGENCY RESPONSE REPORT

RE: Browning-Ferris Industries (BFI)

DATE INSPECTED: January 29, 1997

INSPECTORS: John C. Hando, West Virginia Division of Environmental Protection,  
Office of Waste Management, Fairmont District Office

Michael G. Blumish, West Virginia Division of Environmental Protection,  
Office of Waste Management, Wheeling Field Office

DATE PREPARED: January 29, 1997

PREPARED BY: John C. Hando, Office of Waste Management

On January 29, 1997, the previously referred inspectors responded to a release of liquid waste from a Browning-Ferris Industries' truck at the south bound weigh station on Interstate 79, near Fairmont, West Virginia. Upon our arrival we met with Trooper Wagner, State Police, Paul Kopp and Brad Starcher, Division of Highways, and Robert Runner, Public Service Commission. We were later joined by Michelle Cochran, Bureau of Public Health, Minter Foster and Brad Swiger, with DEP Environmental Enforcement. The driver of the BFI vehicle was Mr. William Bach.

According to Mr. Bach, he was transporting household and commercial solid waste to the Meadowfill Landfill in Meadowbrook, West Virginia. Mr. Bach further stated that he also transports to CBF Landfill in Pennsylvania, as well as a landfill in Ardenville, Pennsylvania. The liquid in the BFI truck came from the wastewater treatment plant in Star City, West Virginia. Workers at the wastewater treatment plant had emptied material from eight (8), 55-gallon drums into the BFI truck. According to Mr. Bach, this is not the first time liquids have been placed in his truck at the wastewater treatment plant. Mr. Bach has been picking up waste from this facility for approximately two (2) years. The material in drums started out dry. However, more and more liquids have been dumped in the recent months. The material in the drums is supposed to be grit from the facility's screens. This type of material is picked up three (3) times a week by BFI.

With regards to Meadowfill Landfill, Mr. Bach stated that his truck has never been inspected. Also, Mr. Bach has never had a load rejected at the landfill. Mr. Bach further stated that he has previously taken liquids to Meadowfill Landfill.

At approximately 1230 hours, Mr. Jeff Brown with BFI arrived with a crew to remove the liquids from the truck. Approximately thirty-five (35) gallons of the four hundred (400) gallons dumped, were removed from the truck. Also, absorbent material was used to clean up the liquid that had leaked from the truck. Sparkle Wash then steam cleaned the contaminated area of the weigh station. This agency as well as PSC and DOH released the BFI truck at approximately 1400 hours.

This incident is being referred to Environmental Enforcement for further investigation.



DEPARTMENT OF COMMERCE, LABOR & ENVIRONMENTAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

1356 Hansford Street  
Charleston, WV 25301-1401

Gaston Caperton  
Governor

John M. Ranson  
Cabinet Secretary

David C. Callaghan  
Director

Ann A. Spaner  
Deputy Director

ORDER

ISSUED UNDER THE

HAZARDOUS WASTE MANAGEMENT ACT

WEST VIRGINIA CODE, CHAPTER 20, ARTICLE 5E

Order Number HW-337-92


TO: Mr. Jeffrey K. Compton  
West Virginia Air Center  
Benedum Airport  
P.O. Drawer 340  
Bridgeport, West Virginia 26330

ATTENTION: MR. JEFFREY K. COMPTON

This Order is issued by the Chief of the Office of Waste Management (hereinafter, the "Chief") under the authority of West Virginia Code, Chapter 20, Article 5E, Section 14 to West Virginia Air Center (hereinafter, "WVAC"). Under this Order WVAC agrees to undertake all actions required by the terms and conditions of this Order and consents to and will not contest the Chief's jurisdiction regarding this Order. However, WVAC does not admit to any factual and legal determinations made by the Chief in this Order and reserves all rights and defenses available regarding WVAC other than proceedings, either administrative or civil, to enforce this Order.

BASIS FOR ORDER

WVAC, located in Bridgeport, West Virginia, provides a variety of services for aircrafts and is a generator of hazardous waste as defined by the West Virginia Hazardous Waste Management Regulations (hereinafter, the "Regulations"). On September 26, 1991, authorized representatives of the Chief conducted a Compliance Evaluation Inspection (CEI) at WVAC and as a result of that inspection, the following violations of the Regulations were documented:

1. Containers of hazardous waste were not kept closed during storage, in violation of 40 CFR Part 265, Section 173, Subsection (a) as referenced by Section 6.3.5.a.1. of the Regulations.
2. Containers holding hazardous waste were not labelled, "hazardous waste", in violation of Section 6.3.5.a.4. of the Regulations.
3. The date upon which each period of accumulation began was not marked and visible for inspection on each container holding hazardous waste, in violation of Section 6.3.5.a.2. of the Regulations.
4. Hazardous waste was not placed in containers designated for accumulation, in violation of Section 6.3.5.a.1. of the Regulations.
5. The facility was not maintained and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, in violation of 40 CFR Part 265, Section 31 as referenced by Section 6.1.1.b. of the Regulations.
6. WVAC failed to provide the stainless steel tank with a leak detection system that is designed and operated to detect the failure of either the primary or secondary containment structure or detect any release of hazardous waste within twenty-four hours, in violation of 40 CFR Part 265, Section 193, Subsection (b) as referenced by Section 6.1.1.b. of the Regulations.
7. Facility personnel <sup>had</sup> ~~have~~ not completed a program of classroom instruction or on-the-job training that <sup>taught</sup> ~~teaches~~ them to perform their duties in a way that <sup>ensured</sup> ~~assured~~ the facility's compliance with the requirements of 40 CFR part 265, in violation of 40 CFR Part 265, Section 16, Subsection (a) as referenced by Section 6.3.5.a.5. of the Regulations. 
8. WVAC failed to have a written contingency plan, in violation of 40 CFR Part 265, Subpart D (265.51 through 256.53) as referenced by Section 6.3.5.a.5. of the Regulations.

On November 13, 1991, the Office of Waste Management received a letter from WVAC dated November 11, 1991, that responded to the CEI conducted on September 26, 1991. The letter informed the Office of Waste Management that the violations related to waste storage had been rectified and all other violations were in the process of being addressed.

#### REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 20, Article 5E, Section 14 of the Code of West Virginia, it is hereby agreed between the Chief and WVAC and ORDERED by the Chief as follows:

1. Upon the effective date of this Order, WVAC shall pay one thousand and three hundred and forty dollars (\$1,340.00) to the West Virginia Hazardous Waste Management Fund (hereinafter, the "Fund"). WVAC agrees to make nine (9) additional payments of one thousand and three hundred and forty dollars (\$1,340.00). Each payment shall be due and payable to the Fund within five (5) days of the last day of each of the nine (9) months ~~preceding~~ <sup>following</sup> the initial payment made upon the effective date of this Order. The total administrative settlement due to the Fund shall be thirteen thousand and four hundred dollars (\$13,400.00). JXC
2. Within thirty (30) days of the effective date of this Order, WVAC shall submit to the Chief, documentation supporting the implementation of activities that enabled WVAC to come into compliance with the Regulations as outlined in a letter addressed to this agency, dated November 11, 1991. The letter addresses the following:
  - a) Rectifying open drums by installing bungs.
  - b) Labelling containers holding hazardous waste with the words, "hazardous waste".
  - c) Marking accumulation dates on containers holding hazardous waste.
  - d) Procedures for handling paint stripping residue deposited on the paint bay floor.
  - e) Secondary containment and leak detection system for the stainless steel tank used to containerize stripper waste.
3. Within thirty (30) days of the effective date of this Order, WVAC shall submit to the Chief, for the Chief's approval, the contingency plan as specified under 40 CFR Part 265, Subpart D.
4. Within thirty (30) days of the effective date of this Order, WVAC shall submit to the Chief documentation supporting that all personnel training requirements have been completed or are in the process of being completed pursuant to 40 CFR Part 265, Section 16 with emphasis

on the documentation and maintenance of records supporting the level of training attained by every individual filling a position at the facility related to hazardous waste management.

5. The Chief reserves all rights and defenses which he may have pursuant to any legal authority as well as right to raise, as a basis for supporting such legal authority or defenses, facts other than those enumerated the Basis for Order.
6. WVAC hereby waives its right to appeal this Order under the provisions of Chapter 20, Article 5E, Section 19 of the Code of West Virginia.

March 29, 1993

Effective Date

G. Max Robertson

G. Max Robertson, Chief  
Office of Waste Management

Jeffrey K. Compton  
West Virginia Air Center

Please refer to Section V, Line by Line Instructions for Completing EPA Form 8700-12, before completing this form. The information requested herein is required by law (Section 3010 of the Resource Conservation and Recovery Act).

# Notification of Regulated Waste Activity



United States Environmental Protection Agency

Date Received  
(For Official Use Only)

## I. Installation's EPA ID Number (Mark X in the appropriate box)

☐

A. Initial Notification

☒
B. Subsequent Notification  
(Complete Item C)

C. Installation's EPA ID Number

W V D 9 8 8 7 7 6 8 5 2

## II. Name of Installation (Include company and specific site name)

W E S T - V I R G I N I A - A I R - C E N T E R

## III. Location of Installation (Physical address not P.O. Box or Route Number)

Street

Street (Continued)

City or Town

B R I D G E P O R T

State

Zip Code

County Code

County Name

## IV. Installation Mailing Address (See Instructions)

Street or P.O. Box

City or Town

State

Zip Code

## V. Installation Contact (Person to be contacted regarding waste activities at site)

Name (Last)

(First)

Y E A R E G O

A L I C E

Job Title

Phone Number (Area Code and Number)

A D M S A F E N V F A C

3 0 4 - 8 4 2 - 6 3 0 0

## VI. Installation Contact Address (See Instructions)

A. Contact Address  
Location: ☒ Mailing: ☐

B. Street or P.O. Box

City or Town

State

Zip Code

## VII. Ownership (See Instructions)

A. Name of Installation's Legal Owner

B O M B A R D I E R S E R V I C E S C O R P .

Street, P.O. Box, or Route Number

2 4 0 0 A V I A T I O N W A Y

City or Town

State

Zip Code

B R I D G E P O R T

W V

2 6 3 3 0 -

Phone Number (Area Code and Number)

B. Land Type

C. Owner Type

D. Change of Owner Indicator

(Date Changed)

3 0 4 - 8 4 2 - 6 3 0 0

P

P

Yes

No

X

Month

Day

Year

0

2

0

1

9

8



**RECEIVED**

ID - For Official Use Only

## VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to Instructions)

A. Hazardous Waste Activity		B. Used Oil Recycling Activities
<b>1. Generator (See Instructions)</b> <input checked="" type="checkbox"/> a. Greater than 1000 kg/mo (2,200 lbs.) <input type="checkbox"/> b. 100 to 1000 kg/mo (220-2,200 lbs.) <input type="checkbox"/> c. Less than 100 kg/mo (220 lbs.) <b>2. Transporter (Indicate Mode in boxes 1-5 below)</b> <input type="checkbox"/> a. For own waste only <input type="checkbox"/> b. For commercial purposes <b>Mode of Transportation</b> <input type="checkbox"/> 1. Air <input type="checkbox"/> 2. Rail <input type="checkbox"/> 3. Highway <input type="checkbox"/> 4. Water <input type="checkbox"/> 5. Other - specify _____	<input type="checkbox"/> 3. Treater, Storer, Disposer (at installation) Note: A permit is required for this activity; see Instructions. <input type="checkbox"/> 4. Hazardous Waste Fuel <input type="checkbox"/> a. Generator Marketing to Burner <input type="checkbox"/> b. Other Marketers <input type="checkbox"/> c. Boiler and/or Industrial Furnace <input type="checkbox"/> 1. Smelter/Referral <input type="checkbox"/> 2. Small Quantity Exemption <input type="checkbox"/> Indicate Type of Combustion Device(s) <input type="checkbox"/> 1. Utility Boiler <input type="checkbox"/> 2. Industrial Boiler <input type="checkbox"/> 3. Industrial Furnace <input type="checkbox"/> 5. Underground Injection Control	<b>1. Used Oil Recycling Marketer.</b> <input type="checkbox"/> a. Marketer Directs Shipment of Used Oil to Off-Specification Burner <input type="checkbox"/> b. Marketer Who First Claims the Used Oil Meets the Specifications <b>2. Used Oil Burner - Indicate Type(s) of Combustion Device</b> <input type="checkbox"/> a. Utility Boiler <input type="checkbox"/> b. Industrial Boiler <input type="checkbox"/> c. Industrial Furnace <b>3. Used Oil Transporter - Indicate Type(s) of Combustion Device(s)</b> <input type="checkbox"/> a. Transporter <input type="checkbox"/> b. Transfer Facility <b>4. Used Oil Processor/Re-refiner - Indicate Type(s) of Activity(ies)</b> <input type="checkbox"/> a. Process <input type="checkbox"/> b. Re-refine

## IX. Description of Regulated Wastes (Use additional sheets if necessary)

A. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24)

1. Ignitable (D001)	2. Corrosive (D002)	3. Reactive (D003)	4. Toxicity Characteristic	(List specific EPA hazardous waste number(s) for the Toxicity characteristic contaminant(s))
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D006 D007 D008

B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See Instructions if you need to list more than 12 waste codes.)

1 F003	2 F005	3	4	5	6
7	8	9	10	11	12

C. Other Wastes. (State or other wastes requiring a handler to have an I.D. number; See Instructions.)

1	2	3	4	5	6
---	---	---	---	---	---

## X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature <i>J. J. Morris</i>	Name and Official Title (Type or print) Director Human Resources	Date Signed 6-10-98
----------------------------------	---	------------------------

## XI. Comments

2400 Aviation Way is leased from Harrison Aviation Services, 2400 Aviation Way, Bridgeport, WV 26330

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF REGULATED WASTE ACTIVITY  
(VERIFICATION)**

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Biennial Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

+  
WVD988776852 12/30/98

INSTALLATION ADDRESS

WEST VIRGINIA AIR CENTER  
BENEDUM AIRPORT  
BRIDGEPORT, WV 26330  
ALICE YEAREGO ADM SAF ENV FAC  
BENEDUM AIRPORT  
BRIDGEPORT, WV 26330